

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS****09/13/22**

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

Vs.

Patty Lee Alvarado**CRIMINAL COMPLAINT**Case Number: **C-22-1043M**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 12, 2022 in Brooks County, in the Southern District of Texas, defendant, **Patty Lee Alvarado**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Hector Villarreal**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

September 13, 2022

DATE

Julie K. Hampton U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

PROBABLE CAUSE / FACTS:

On, September 12, 2022, a Border Patrol Agent was assigned to work immigration inspection duties at the Falfurrias, Texas United States Border Patrol Checkpoint. At approximately 11:45 a.m., a grey Nissan Altima arrived for an immigration inspection. The agent observed two visible occupants, a female driver, later identified as Patty Lee ALVARADO and a male passenger, later identified as Asbel ORTIZ-Baquedano. Once the vehicle came to a stop, the agent observed both subjects to be eating a sandwich. In between bites, the agent observed ORTIZ make eye contact with him and abruptly break it by looking away. The agent observed ORTIZ to be wearing a Dallas Cowboy jersey and asked, "how did they do last night?" The agent observed ORTIZ turn his attention to ALVARADO, as if waiting for an answer. At that time, ALVARADO responded, "they didn't do too good." The agent found this behavior abnormal and requested identification from both occupants. ALVARADO informed the agent she had an ID. The agent once again observed ORTIZ look at ALVARADO looking for guidance. At this time the agent, not being satisfied with the immigration inspection, directed ALVARADO to park in the secondary inspection area for further inspection.

Once in secondary, a Border Patrol Agent questioned ORTIZ as to his citizenship and determined ORTIZ was a citizen from Honduras with no documentation to remain in the United States. At this time ORTIZ was placed under arrest for being illegally present in the United States. ALVARADO was placed under arrest for alien smuggling. Both subjects were escorted into the checkpoint for further processing.

NOTE:

On August 11, 2020, Patty Lee ALVARADO was arrested by McAllen Border Patrol as the principal of a failed 2 on 2 alien smuggling attempt. Case was administratively closed.

MIRANDA RIGHTS WARNING:

All subjects were read their rights in their preferred language and signed accordingly that they understood their rights. ALVARADO and ORTIZ agreed to provide a statement.

PRINCIPAL STATEMENT: Patty Lee ALVARADO

Initially, ALVARADO stated she was travelling to see her boyfriend who is incarcerated in Wichita, Texas. ALVARADO stated she was approached by her neighbor, as well as his mother, to transport ORTIZ to San Diego, Texas. ALVARADO stated the mother told her ORTIZ was her son. ALVARADO stated she was going to take Ortiz to his family in San Diego on her way to Wichita.

After further questioning ALVARADO admitted she was not telling the truth. ALVARADO stated her neighbor's mother, called her last night (09/11/2022) and asked her to take an illegal alien to San Diego and drop him off at a gas station. ALVARADO stated ORTIZ would then be picked up there. ALVARADO stated she would be paid \$300 to help smuggle the ORTIZ north.

MAT-WIT STATEMENT: Asbel Daniel ORTIZ-Basquedano

ORTIZ stated he crossed the river this past Thursday during the afternoon with four other subjects. ORTIZ stated after arriving in the United States he and the group were taken to a house in a car. ORTIZ stated the following day, Friday, he was taken to another home where he stayed with two other people. ORTIZ stated the man of the house told him this morning that he was going to be moved. ORTIZ stated a car arrived, driven by a female. ORTIZ stated the female driving the vehicle gave him a Dallas Cowboys jersey, to appear more presentable when driving through the checkpoint. ORTIZ stated before getting on the highway, they went to a restaurant where they bought food. ORTIZ stated about ten to fifteen minutes prior to arriving at the checkpoint, they both started eating their meals. ORTIZ stated his destination was Houston, TX, because his uncle lives there.

NOTE:

ORTIZ was shown a photo-line up but did not wish to identify the driver because he did not want to incriminate her.

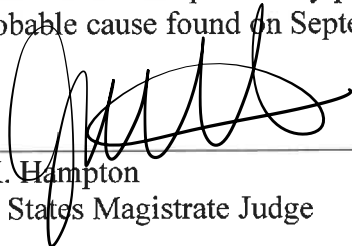
DISPOSITION:

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Patty Lee ALVARADO for prosecution of 8 USC 1324, Alien Smuggling. Asbel Daniel ORTIZ-Basquedano will be held as material witness in this case.



Ramon Mendoza Jr.
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on September 13, 2022.



Julie K. Hampton
United States Magistrate Judge